UTILITY
PATENT APPLICATION
TRANSMITTAL

Attorney Docket No.: 9005/10

First Inventor: Jay P. Morreale et al.

METHOD AND APPARATUS FOR USING OPTICAL

Title: METHOD AND APPARATUS FOR USING OPTICAL IDLER TONES FOR PERFORMANCE MONITORING IN A WDM OPTICAL TRANSMISSION SYSTEM

Express Mail Label No.: ER 194908951 US

APPLICATION ELEMENTS (see MPEP chapter 600 concerning utility patent application contents)  ADDRESS TO:  (see MPEP chapter 600 concerning utility patent application contents)  ADDRESS TO:  (Sebmit an original and a duplicate for fee processing.)  Artifugton, VA 22313-1450  1. Fee Transmittal Form in duplicate (Sebmit an original and a duplicate for fee processing.)  Artifugton, VA 22313-1450  7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)  Nucleotide and/or Amino Acid Sequence (if applicable, all nocessary)  Seg 37 CFR 1.27  3. X Specification Total Pages I3 (preferred arrangement set forth below)  -Descriptive title of the invention  -Cross Reference to Related Applications  -Statement Regarding Fed sponsored R&D  -Reference to Sequence listing, a table,  -Background of the Invention  -Brief Description of the Drawings (if filed Description of the Disclosure of the					
(see MPEP chapter 600 concerning utility patent application contents)  ADDRESS TO:  Commissioner for Patents P.O. Box 1450 Arlington, VA 22313-1450  7.					
utility patent application contents)  P.O. Box 1450 Artington, VA 22313-1450  1.  Fee Transmittal Form in duplicate (Submit an original and a duplicate for fee processing) 2.  Applicant claims small entity status See 37 CFR 1.27 3.  X Spocification Total Pages 13 (preferred arrangement set forth below) -Descriptive title of the invention -Cross Reference to Related Applications -Statement Regarding Fed sponsored R&D -Reference to sequence listing, a table, -Background of the Invention -Brief Summary of the Invention -Brief Summary of the Invention -Brief Summary of the Drawings (if filed -Detailed Description -Detailed Description -Claim(c) -Abstract of the Disclosure  4.  X Drawing(s) Total Sheets - Calaim(c) - Abstract of the Disclosure  4.  X Drawing(s) Total Sheets - Copy from a prior application (37 - CFR 1.63(d)) (for continuation idvisional with Box 18 completed)  i.  DELETION OF INVENTOR(s) Signed statement attended deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  6.  Application Data Sheet under 37 CFR 1.76  18.  IF A CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment: - Continuation - Divisional Continuation-in-Part (CIP) - Prior Appl. information:  Examinae: - Continuation or divisional spilication, and in the prior application is supplied under 80x 5t, is considered a part of the disclosure of the prior application, from which an each or declaration is supplied under 80x 5t, is considered a part of the disclosure of the prior application or divisional application and is hereby incorporated by reference.  19.  CORRESPONDENCE ADDRESS					
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☐ Customer Number or Bar Code Label 27774 or ☐ Correspondence address below					
Name Stuart H. Mayer					
Mayer Fortkort & Williams, PC					
Address 251 North Avenue West, 2 <sup>nd</sup> Floor					
City Westfield State NJ Zip Code 07090					
Country U.S.A. Telephone 908-518-7700 Fax 908-518-7795					
Name Styart M. Mayer Registration No. 35,277					
SIGNATURE Date 7/3/03					

CERTIFICATE OF Applicant(s): Jay P. M	Docket No. 9005/10			
Serial No.	Filing Date	Examiner	Group Art Unit	
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I hereby certify that the	ne following correspondence:			
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Note: Each paper must have its own certificate of mailing.

NONPUBLICATION REQUEST	First N		Jay P. Morreale et al.
UNDER 35 U.S.C.122(b)(2)(B)(i)	Title	Method And Apparatus For Using Optical Idler Tones For Performance Monitoring In A WDM Optical Transmission System	
	Atty Docket Number		9005/10

I hereby certify that the invention disclosed the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request the attached application not be published under 35 U.S.C. 122(b).

7/3/63 Date

Signature

Stuart H. Mayer
Type or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the Untied States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii).